



Western Australia

## **Regulations for the Conduct of the Library Board (State Library) Regulations 1956**

Compare between:

[06 Dec 2002, 01-a0-10] and [07 Dec 2013, 01-b0-01]



## ~~Regulations for the Conduct of the Library Board (State Library) Regulations 1956~~

### 1. Citation

These regulations may be cited as the *Regulations for the ~~Conduct of the Library Board (State Library) Regulations 1956~~*<sup>1</sup>.

*[Regulation 1 amended in Gazette 6 Dec 2013 p. 5737.]*

### 2. Interpretation

In these regulations, unless the context otherwise requires —  
*Act* means the *Library Board of Western Australia Act 1951* (as amended);

*Board* means The Library Board of Western Australia constituted pursuant to the provisions of the Act;

*library* means The State Library of Western Australia and includes any rooms, offices, passages, staircases, entrances, exits and gardens whatsoever forming part thereof and adjacent thereto;

*book* includes periodical, newspaper, pamphlet, music score, picture, print, photograph, map, chart, plan, manuscript, film, slide, gramophone record, or any other article of a like nature, forming part of the contents of the library, whether or not the property of the Board;

~~*reader* means~~

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- ~~— (a) any person, other than an officer of the Board, who enters the State Library;~~
- ~~— (b) any person or body to whom a book from the State Library shall have been lent pursuant to these regulations.~~

*librarian* means the State Librarian, and includes the person for the time being in charge of any part or section of the library.

**~~3. Opening hours~~**

- ~~— The Board shall open the library on such days and during such hours as it may from time to time determine.~~

~~*[Regulation 2 amended in Gazette 6 Dec 2013 p. 5737.]*~~

~~*[3. Deleted in Gazette 6 Dec 2013 p. 5737.]*~~

**4. General control vested in librarian**

The librarian has the general control and charge of the library and is responsible to the Board for the safe custody of the books and all other property therein or belonging thereto.

**~~5. Children~~**

- ~~— Persons under 14 years of age shall not enter the library except with the permission of the librarian.~~

**~~6. Bags, umbrellas, sticks etc.~~**

- ~~— (1) A person entering the library shall deposit any umbrella, stick, bag, parcel and other articles in his possession in such place as may be provided in accordance with directions contained in a notice posted on the entrance to the library and all articles so deposited shall be reclaimed by the depositor before he leaves the library.~~
- ~~— (2) The Board has the right to open any bags or parcels or any other articles so deposited and if any articles so deposited are not~~

~~claimed within 7 days to forward the same to the Police Department<sup>2</sup>.~~

- ~~(3) The Board is not responsible for any loss of or damage to any articles deposited in the library in accordance with this regulation.~~

**7. Register; letter of introduction; application for books**

- ~~A reader shall, if required to do so by the librarian—~~
- ~~(a) sign a register upon entering the library and enter in the register such particulars as may be required;~~
  - ~~(b) produce a letter of introduction or other guarantee of bona fides;~~
  - ~~(c) apply in writing, on a form provided, for any book which he wishes to read.~~

**8. Rare or special books**

- ~~The librarian may, at his discretion, decline to issue a book which in his opinion is rare or of a special character, and may impose conditions upon the issue or use of any book or class of books. Any reader to whom such a book is issued shall comply with such conditions.~~

**9. Books to be returned to librarian**

- ~~All books shall be returned to the librarian by the reader except those taken from open shelves in the reading rooms which shall be left on the tables.~~

**10. Newspapers etc. to be returned when requested**

- ~~No newspaper, periodical, year book, directory, or book of a similar kind shall be retained by any reader for more than 10 minutes after the reader has been requested by the librarian to resign it to another reader.~~

[\[5-10. Deleted in Gazette 6 Dec 2013 p. 5737.\]](#)

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**11. Photocopies**

Photographic copies made by the librarian for the personal use of a person shall not be used for further reproduction without the permission in writing of the owner of the copyright and of the Board. The Board may impose conditions on such reproduction and the person shall comply with such conditions.

~~**12. Retaining books not in use; reading other books**~~

~~A reader shall not~~  
~~retain any book which he is not using;~~  
~~use the library for the purpose of reading books other than those provided in the library by the Board.~~

~~**13. Reader not to use ink near rare books**~~

~~A reader shall not use ink or any form of pen or any indelible pencil in any part of the library where rare books or manuscripts are stored or consulted or after being requested not to do so by the librarian.~~

*[12, 13. Deleted in Gazette 6 Dec 2013 p. 5737.]*

**14. Persons to comply with directions of librarian**

A person shall comply with any reasonable direction of the librarian and shall not wilfully obstruct any officer or servant of the Board in the execution of his or her duty or wilfully disturb, interrupt or annoy any other person in the proper use of the library.

~~**15. Animals not permitted**~~

~~A person shall not cause or permit any dog or any other animal belonging to him or under his control to enter or remain in the library.~~

**16. — Annoying conversation not permitted**

~~A reader shall not engage in audible conversation in the library to the annoyance of any other person.~~

**17. — Bicycles etc. not permitted**

~~A reader shall not bring into any part of the library a bicycle or other wheeled vehicle or conveyance except with the permission of the librarian.~~

**18. — Reader to remain in public areas of library**

~~A reader shall not enter or remain in any part of the library which is not set apart for the use of the public except with the permission of the librarian.~~

**19. — Spitting not permitted**

~~A person shall not spit in any part of the library.~~

**20. — Lying down, smoking and eating not permitted**

~~A person shall not lie on the chairs, table, floor or any other part of the library or loiter, sleep, smoke or partake of refreshment in any part of the library set apart for the use of the public.~~

**21. — Posting of bills not permitted**

~~A person other than an officer or servant of the Board shall not affix or post any bill, placard or notice to or upon any part of the library.~~

**22. — Dress standards**

~~A person who is offensively unclean in person or in dress or who is suffering from an offensive disease shall not enter or use the library.~~

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**~~23. Giving a false name or address~~**

~~A person shall not give a false name or address for the purpose of entering any part of the library or obtaining any privilege therefrom.~~

**~~24. Goods not to be offered for sale~~**

~~A person other than an officer or servant of the Board shall not offer anything for sale in the library.~~

**~~25. Disorderly behaviour~~**

~~A reader shall not behave in a disorderly manner, use violent abusive language, or bet or gamble in the library, or introduce any liquid into the library.~~

**~~26. Reader to leave at closing time~~**

~~A reader shall not, after proper warning, remain in the library beyond the hours fixed for the closing of the library.~~

**~~27. Careless or negligent treatment of books~~**

~~A reader shall not carelessly, negligently or maliciously soil, tear, cut, deface, damage, injure or destroy any book or other object forming part of the contents of the library whether within the library or elsewhere.~~

**~~28. Tracing from books not permitted~~**

~~A reader shall not make a tracing of any book except through a protective screen and with the permission of the librarian.~~

**~~29. Damage to books~~**

~~(1) It shall be an obligation on a reader to report to the librarian at the earliest opportunity any damage or defacement to any book which is issued to him or which he may consult.~~



- ~~(2) If a book after having been issued to, or consulted by a reader is found to have been damaged or to have sustained loss of value, the reader may be required to pay the cost of replacement of the book as determined by the Board and if the book is one volume of a set or series and it is found impracticable to replace that volume, to pay the cost of replacement of the whole work or at the discretion of the Board to compensate the Board for the loss or damage sustained.~~
- ~~(3) The Board's valuation of the cost of replacement of any book, the whole of any work, or the loss or damage sustained provided for in the regulation shall be final and conclusive.~~
- ~~(4) Books which have been damaged or have sustained loss of value remain the property of the Board although replaced or paid for.~~

**30. Books not to be removed without authority**

- ~~A person shall not without proper authority take or cause to be taken from any library or receive or be in possession of any book forming part of the contents of the library, whether or not the property of the Board.~~

**31. Misplacing or hiding books**

- ~~A person shall not misplace or secrete any book or any record of a book in the library with intent to withhold its use from others.~~

~~[\[Regulation 14 amended in Gazette 6 Dec 2013 p. 5738.\]](#)~~

~~[\[15-31. Deleted in Gazette 6 Dec 2013 p. 5738.\]](#)~~

**32. Librarian may refuse books or use of library**

- (1) The librarian has the power to refuse books and to deny the use of the library to any person who refuses to comply with these regulations or who may be excluded or removed from the library under the provisions of regulation 33.

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- (2) A person who is aggrieved by the decision of a librarian made under this regulation may appeal against the decision to the Board.
- (3) The decision of the Board is final, but the librarian's decision or denial as the case may be under subregulation (1) has effect until overruled by the decision of the Board.

**33. Librarian may exclude or remove persons from library**

The librarian may exclude or remove from the library —

- (a) all disorderly persons;
- (b) any person who appears to be intoxicated;
- (c) a person who is not using the library for the purposes for which it is intended;
- (d) a person who has committed a breach of these regulations if it appears likely that ~~his~~[the person's](#) continued presence in the library may lead to a further breach of the regulations.

[\[Regulation 33 amended in Gazette 6 Dec 2013 p. 5738.\]](#)

**34. Use of books from library**

- (1) The Board shall conduct the State Library primarily as a reference library. Books from the stock of the State Library may, at the discretion of the Board, be lent —
  - (a) to an approved library;
  - (b) to any department or instrumentality of the Government of Western Australia or of the Commonwealth of Australia, for official use;
  - (c) to other persons or bodies in exceptional circumstances.
- (2) No book shall be removed from the library without the authority of the librarian, who may at his discretion decline to give such authority or impose conditions as to the manner in which the book shall be used, the period of loan, or as to any other matter.

A person accepting a book on loan shall be deemed to have assented to any such conditions and shall comply with them.

- (3) In respect of any such loan the *Library Board (Registered Public Libraries) Regulations 1985*<sup>3</sup> shall apply, in so far as they are applicable, as if the State Library were a registered public library and any person borrowing a book shall comply with those Regulations.

**35. Recovery of penalties**

Any sum or penalty payable under these regulations may be recovered in any Court of competent jurisdiction by the Board as a debt due to the Board.

**36. Penalty for breach of regulations**

A person who commits a breach of these regulations is liable to a penalty not exceeding \$100 and in addition to any penalty imposed, the amount of any expense incurred in consequence of the breach shall be paid by the person.

*[Regulation 36 amended by Act No. 113 of 1965 s. 8(1).]*

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## Notes

- <sup>1</sup> This is a compilation of the ~~Regulations for the Conduct of the~~ [Library Board \(State Library\) Regulations 1956](#) and includes the amendments made by the other written laws referred to in the following table. [The table also contains information about any reprint.](#)

### Compilation table

Citation	Gazettal	Commencement
<i>Regulations for the Conduct of the State Library</i> <sup>4</sup>	3 Aug 1956 p. 1913-16	3 Aug 1956
<i>Decimal Currency Act 1965</i> assented to	21 Dec 1965	s. 4-9: 14 Feb 1966 (see s. 2(2)); balance: 21 Dec 1965 (see s. 2(1))
<b>Reprint of the <i>Regulations for the Conduct of the State Library</i> as at 6 Dec 2002</b> (includes amendment listed above)		
<a href="#">Library Board (State Library) Amendment Regulations 2013</a>	<a href="#">6 Dec 2013</a> <a href="#">p. 5737-8</a>	<a href="#">r. 1 and 2: 6 Dec 2013</a> (see <a href="#">r. 2(a)</a> ); <a href="#">Regulations other than r. 1 and 2:</a> <a href="#">7 Dec 2013 (see r. 2(b))</a>

- <sup>2</sup> Under the *Public Sector Management Act 1994* the names of departments may be changed. At the date of this reprint the former Police Department is called the Western Australian Police Service.
- <sup>3</sup> Under the *Interpretation Act 1984* s. 16(1), a reference to the *Regulations for the Conduct of Public Libraries* may be read as including a reference to the *Library Board (Registered Public Libraries) Regulations 1985*. The reference was changed under the *Reprints Act 1984* s. 7(3)(g). The *Regulations for the Conduct of Public Libraries* were repealed by the *Library Board (Registered Public Libraries) Regulations 1985* r. 32.
- <sup>4</sup> [Now known as the Library Board \(State Library\) Regulations 1956; citation changed \(see note under r. 1\).](#)